

*TPW*  
*AF\$*

CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 27, 2005.

*[Signature]*  
Sandra D. Hunter

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: March 27, 2005

Matthew E. AUBERTINE

Confirmation No. 1975

Serial No: 09/903,947

Group Art Unit: 2124

Filed: July 12, 2001

Examiner: Vu, Tuan A.

For: METHOD AND SYSTEM FOR MINIMIZING THE CYCLE TIME WHEN  
COMPILING A PROGRAM IN A PROCESSING SYSTEM

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 CFR §1.191

Sir:

In the Final Office Action dated March 10, 2005, the Examiner rejected Claims 1-15. In response, Applicant hereby appeals to the Board the decision of the Primary Examiner. An Appellant's Brief will be filed in triplicate within two months from the date of this notice.

The Commissioner is authorized to charge Deposit Account No. 09-0447 (IBM Corporation) in the amount of \$500.00 for payment of the Notice of Appeal filing fee.

If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

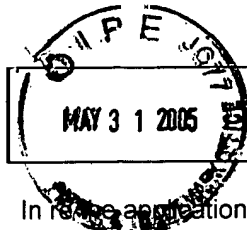
SAWYER LAW GROUP LLP

May 27, 2005  
Date

*[Signature]*  
Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540

06/01/2005 MAHMED1 00000053 090447 09903947

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## TRANSMITTAL FORM

Attorney Docket No.  
**AUS920000328US1**  
**1752P**In re: application **AUBERTINE**Confirmation No: **1975**Serial No: **09/903,947**Group Art Unit: **2124**Filed: **July 12, 2001**Examiner: **Vu, Tuan A.**For: **Method and System for Minimizing the Cycle Time When Compiling A Program In A Processing System**

## ENCLOSURES (check all that apply)

<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input checked="" type="checkbox"/>	Notice of Appeal
<input type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input type="checkbox"/>	Appeal Brief
<input type="checkbox"/>	Form 1449	<input type="checkbox"/>	Drawings	<input type="checkbox"/>	Status Letter
<input type="checkbox"/>	(X) Copies of References	<input type="checkbox"/>	Petition	<input checked="" type="checkbox"/>	Postcard
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer		
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxx month(s), from to .			
<input type="checkbox"/>	Executed Declaration by Inventor(s)				

## CLAIMS

FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	0	0	0	\$ 50.00	\$ 0.00
Independent Claims	0	0	0	\$200.00	\$ 0.00
				Total Fees	\$ 0.00

## METHOD OF PAYMENT

<input type="checkbox"/>	Check no. _____ in the amount of \$ _____ is enclosed for payment of fees.
<input checked="" type="checkbox"/>	Charge \$ <u>500.00</u> to Deposit Account No. <u>09-0447</u> (IBM Corporation) for payment of fees.
<input checked="" type="checkbox"/>	Charge any additional fees or credit any overpayment to Deposit Account No. <u>09-0447</u> (IBM Corporation)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Attorney Name	Joseph A. Sawyer, Jr., Reg. No. 30,801
Signature	
Date	May 27, 2005

## CERTIFICATE OF MAILING

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Type or printed name	Saundra D. Hunter
Signature	